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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,499	06/14/2002	Matthias Hessling	10191/2152	6405
26646 7590 11/25/2009 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004				
EXAMINER				
NGUYEN, CINDY				
ART UNIT		PAPER NUMBER		
2161				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/031,499

Applicant(s)

HESSLING ET AL.

Examiner

CINDY NGUYEN

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is response to amendment filed 08/21/09.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. Applicant argued that Israni simply do not describe the assigning of the location component to the event description component. This is clear from the fact that none of the cited portions of Israni relates to an assignment of information contained in the data packet to further information contained in the same packet. Examiner disagree, Israni teaches a system and method that allow a navigation system that uses a geographic database to also use the data in traffic messages broadcast by traffic broadcast system, using traffic messages together with a geographic database, which the navigation system relates the data in the traffic messages to the data in the geographic database, the broadcast/transmitted system may assign specific reference code to locations in the geographic region about which the traffic messages relate (col. 13, lines 35-45), further, the traffic message/packet includes different/separate components: an event description, a location, a direction.... The event description 50(1) includes data that describe a traffic problem/description information, and the location component 50(2) includes a reference number/assigned that identifies the location of the traffic problem (see col. 5, lines 25-35). Thus, Israni teaches elements as required in claims 19, 30, 31, 33 and 36.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Israni et al. US 6438561, hereafter Israni.

Regarding claims 19, 30, 31, 33 and 36, Israni discloses: A method for at least one electronically of encoding, decoding and transmitting location information, the method comprising:

at least one of encoding using an encoding device (see col. 4, line 23, lines 51; col. 6, lines 38-42), decoding using a decoding device and transmitting of a data packet using a transmitting device (see col. 4, lines , the data packet (see col. 4, line 66 to col. 5, line 13; col. , Israni) containing location information of at least one object for a map by one an encoder, decoder and transmitter/receiver, the location information of at least one object including locating information (data packet is interpreted as traffic message see col. 5, lines 15-60; col. 8, lines 33-52, Israni), wherein the data packet separately contains the locating information (col. 5, lines 33-35, Israni) and the description information (see col. 5, lines 28-31 Israni), and includes assignment information assigning at least a part of the locating information to at least

a part of the description information (see col. 5, lines 54-60; col. 13, lines 35-45; col. 14, lines 5-11, Israni).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Israni discloses: wherein the locating information includes at least one first coordinate chain that includes at least one first point (see col. 8, lines 15-18, Israni).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 20 above. In addition, Israni discloses: wherein the at least one first coordinate chain contains a second point, the at least one first point of the at least one first coordinate chain is specified in absolute coordinates and the second point of the at least one first coordinate chain is specified in relative coordinates, with respect to one of a centroid coordinate and the at least one first point of the at least one first coordinate chain (see col. 8, lines 34-52, Israni).

Regarding claim 22, all the limitations of this claim have been noted in the rejection of claim 21 above. In addition, Israni discloses: wherein the at least one first point of the at least one first coordinate chain is interpreted in a defined direction by the second point of the at least one first coordinate chain (col. 9, lines 15-32, Israni).

Regarding claim 23, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Israni discloses: wherein the description information includes at least one first attribute field (col. 9, lines 15-25, Israni).

Regarding claim 24, all the limitations of this claim have been noted in the rejection of claim 23 above. In addition, Israni discloses: wherein the at least one first attribute field includes a type specification and description data, and the description data is determined by the type specification with respect to at least one of a name, an accuracy, a direction, a time, a point of interest and a physical link (col. 9, lines 50 to col. 10, lines 17, Israni).

Regarding claim 25, all the limitations of this claim have been noted in the rejection of claim 23 above. In addition, Israni discloses: wherein the assignment information includes at least one first assignment entry and the at least one first attribute field and the at least one first point of the at least one first coordinate chain are assigned to each other by the at least one first assignment entry (col. 9, lines 8-25, Israni).

Regarding claim 26, all the limitations of this claim have been noted in the rejection of claim 25 above. In addition, Israni discloses: wherein the at least one first assignment entry includes a reference to the at least one first attribute field and a reference to the at least one first point of the at least one first coordinate chain (col. 9, lines 25-33, Israni).

Regarding claim 27, all the limitations of this claim have been noted in the rejection of claim 25 above. In addition, Israni discloses: wherein the at least one first assignment entry includes one of (i) a reference to the at least one first attribute field and a reference to a plurality of points of coordinate chains of the locating information, and (ii) a reference to a plurality of attribute fields and a reference to the at least one first point of the at least one first coordinate chain (col. 9, lines 8-33, Israni).

Regarding claim 28, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Foust discloses: wherein the data packet includes a header part of the location information and a data part of the location information (col. 12, 35-50, Israni).

Regarding claim 29, all the limitations of this claim have been noted in the rejection of claim 28 above. In addition, Foust discloses: wherein the header part includes structure information specifying a data structure of the location information , and includes interpreting instructions specifying a purpose of the location information (col. 5, lines 45-60, Israni).

Regarding claim 32, all the limitations of this claim have been noted in the rejection of claims 31 and 20 above. In addition, Israni discloses: wherein a definition of the at least one first point of the at least one first coordinate chain is definable as a function of location information query (col. 26, lines 15-30, Israni).

Regarding claim 34, all the limitations of this claim have been noted in the rejection of claim 33 above. In addition, Israni discloses: wherein the location information is at least partially correlatable with data of a first database associated with the decoding device (col. 6, lines 38-50, Israni).

Regarding claim 35, all the limitations of this claim have been noted in the rejection of claim 34 above. In addition, Israni discloses: wherein at least one of location information that is not contained in the first database and location information is not correlated with data of the first database is stored in a second database associated with the decoding device (col. 10, lines 18-24, Israni)

Regarding claim 37, all the limitations of this claim have been noted in the rejection of claim 20 above. In addition, Israni discloses: wherein the at least one first point includes a geographical point (col. 8, line 32-52, Israni).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./

Examiner, Art Unit 2161

/A O/

Primary Examiner, Art Unit 2100